

MINUTES
KITTY HAWK TOWN COUNCIL
Tuesday, July 5, 2011
Kitty Hawk Town Hall, 6:00 PM

Agenda

1. Call to Order
2. Moment of Silence/Pledge of Allegiance
3. Approval of Agenda
4. Public Comment
5. Consent Agenda
 - a.) Approval of Minutes - May 16, 2011 Recessed Meeting & June 6, 2011 Regular Meeting
 - b.) Revenues and Expenses Report for May 2011
 - c.) Tax Pick Ups and Releases
6. Items Removed from the Consent Agenda
7. Planning
 - a.) Call for Public Hearing. Text Amendment: Proposal to add provisions to Chapter 14, *Flood Damage Prevention*, allowing small accessory buildings in Coastal High Hazard Area (VE) flood zones when installed to FEMA safety standards. A public hearing is requested to be scheduled for the August 1, 2011 Town Council meeting.
 - b.) Call for Public Hearing. Text Amendment: Proposal to amend Section 42-225(c) by allowing "home occupations" as conditional uses in the Kitty Hawk Woods (KHW) zoning district. A public hearing is requested to be scheduled for the August 1, 2011 Town Council meeting.
8. New Business
 - a.) Approval of Agreement for Professional Services, Phase III, Stormwater Drainage Study
 - b.) Resolution in Support of a Multi-Use Pathway along SR 1217 in Atlantic Township, Dare County, Commonly Known as Colington Road
9. Reports or General Comments from Town Manager
 - a.) Update on Sandy Run Park Phase II Project
 - b.) Update on removal of CenturyLink overhead lines.
10. Reports or General Comments from Town Attorney
11. Reports or General Comments from Town Council
12. Public Comment
13. Adjourn

COUNCIL MEMBERS PRESENT:

Mayor Clifton Perry, Councilman Ervin Bateman, Councilwoman Emilie Klutz

COUNCIL MEMBER ABSENT:

Mayor Pro Tem Perry and Councilman Reid

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STAFF MEMBERS PRESENT:

Town Manager John Stockton, Town Clerk Lynn Morris, Town Attorney Steve Michael, Planning Director Joe Heard, Finance Officer Mike Eubank, Police Chief David Ward, and Public Works Director Willie Midgett (Fire Chief Lowell Spivey absent)

1. CALL TO ORDER

Mayor Perry called the meeting to order and welcomed everyone.

2. MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE

Following a moment of silence, the Pledge of Allegiance was recited.

3. APPROVAL OF AGENDA

Councilwoman Klutz moved to approve the agenda. Councilman Bateman seconded and it passed unanimously, 3-0.

4. PUBLIC COMMENT

There was no public comment.

5. CONSENT AGENDA *Items on the Consent Agenda are considered to be non-controversial, routine in nature or items not requiring a presentation to or discussion by the Town Council in order to consider the item(s). Any item may be removed for discussion by council or by any member of the audience who wants to hear the item presented and discussed.*

a.) Approval of Minutes. May 16, 2011 Recessed Meeting & June 6, 2011 Regular Meeting. *(An affirmative vote for the Consent Agenda will approve these minutes.)*

b.) Revenues and Expenses Report for May 2011. *(An affirmative vote for the Consent Agenda will acknowledge this report.)*

c.) Tax Pick Ups and Releases. *(An affirmative vote for the Consent Agenda will acknowledge this report.)*

Councilman Bateman, seconded by Councilwoman Klutz, moved to approve the consent agenda. It passed unanimously, 3-0.

6. ITEMS REMOVED FROM THE CONSENT AGENDA

There were no items removed from the Consent Agenda.

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7. PLANNING

a.) Call for Public Hearing. Text Amendment: Proposal to add provisions to Chapter 14, *Flood Damage Prevention*, allowing small accessory buildings in Coastal High Hazard Area (VE) flood zones when installed to FEMA safety standards. A public hearing is requested to be scheduled for the August 1, 2011 Town Council meeting.

Councilman Bateman made a motion to set a public hearing on August 1, 2011 for a text amendment proposal to add provisions to Chapter 14, Flood Damage Prevention, allowing small accessory buildings in Coastal High Hazard Area (VE) flood zones when installed to FEMA safety standards. Councilwoman Klutz seconded and it passed unanimously, 3-0.

b.) Call for Public Hearing. Text Amendment: Proposal to amend Section 42-225(c) by allowing "home occupations" as conditional uses in the Kitty Hawk Woods (KHW) zoning district. A public hearing is requested to be scheduled for the August 1, 2011 Town Council meeting.

Councilman Bateman, seconded by Councilwoman Klutz, made a motion to hold a public hearing August 1, 2011 on the proposal to amend section 42-225(c) by allowing home occupations as conditional uses in the Kitty Hawk Woods zoning district. Councilwoman Klutz requested this item also be published in the town newsletter. The vote was 3-0.

8. NEW BUSINESS

a.) Approval of Agreement for Professional Services, Phase III, Stormwater Drainage Study

Manager Stockton reported the town has received the agreement with Albemarle and Associates for professional services for Phase III of the Storm Drainage Study. This will be the last phase and the professional services includes: evaluating the areas discussed at the public meetings and determine solutions to the areas evaluated; a preliminary design of required structures to handle the groundwater in those areas evaluated; cost estimates for final design, permitting and construction; determination of potential funding sources; preparation of draft and final report; conduct another public meeting; presentation of a final report to NCDOT and Town Council; and, co-ordination with town staff. Cost of the final phase of this study is \$29, 662.54.

Councilman Bateman made a motion to approve the agreement for professional services Phase III between Albemarle and Associates and the Town of Kitty Hawk for the continuation of the storm drainage study at a cost of \$29,662.54. I further authorize the town manager to sign said agreement. Councilwoman Klutz seconded and it passed unanimously, 3-0.

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b.) Resolution in Support of a Multi-Use Pathway Along SR 1217 in Atlantic Township, Dare County, Commonly Known as Colington Road

Mayor Perry said he had previously suggested to the county to have new construction put in a path when building and this is definitely needed.

Councilwoman Klutz added the project will probably take on the scope of what they tried to do in Hatteras. It is going to be a long term project and agreed it is needed.

Councilwoman Klutz moved to approve the Resolution in Support of a Multi-Use Pathway Along SR 1217 in Dare County Commonly Known as Colington Road. A second was provided by Councilman Bateman and unanimously approved, 3-0.

9. REPORTS OR GENERAL COMMENTS FROM TOWN MANAGER

a.) **Update on Sandy Run Park Phase II Project** – Manager Stockton reported he and Joe Heard met with Mike Strader and Brian Rubino of Quible and Associates on the 24th of June. At that time they received two copies of the construction plans and a project manual. Also received was approval of the modifications to the major CAMA permit and the Corps of Engineers permit. The project was advertised on July 3rd. A pre-bid conference will be held on July 19th and the bids for the project will be opened on August 9th. It is anticipated an award for the bid can be done at the September 6th council meeting.

b.) **Update on removal of CenturyLink overhead lines** – Manager Stockton said he received a call from Dare Kelly of CenturyLink. Mr. Kelly informed him that Dominion Power is scheduled to complete their overhead work by October of this year and then beginning October 1st CenturyLink plans to begin their engineering for the removal of their overhead lines and underground installation. CenturyLink plans to have their overhead lines relocated by February 2012.

c.) **Compliment from the U.S. Secret Service** – Manager Stockton said the town received a letter from the U.S. Secret Service complimenting the Kitty Hawk Fire Department on the support given to the U.S. Secret Service Rescue Swimmer Program during the training conducted on May 16th. Particular mention of assistance was given to Ocean Rescue Director Cole Yeatts, Lifeguards Sam Crist and Stephanie Gillespie and Supervisor Joey Glaser-Reich.

10. REPORTS OR GENERAL COMMENTS FROM TOWN ATTORNEY

Attorney Michael said he did not have any items for council.

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11. REPORTS OR GENERAL COMMENTS FROM TOWN COUNCIL

There were no items from council.

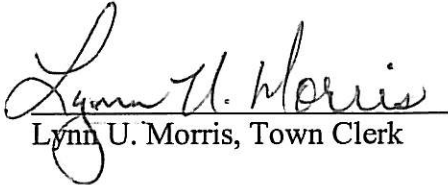
12. PUBLIC COMMENT

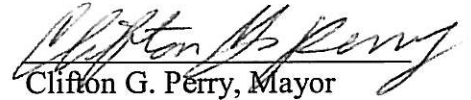
There was no public comment.

13. ADJOURN

Councilman Bateman moved, seconded by Councilwoman Klutz, to adjourn. Vote was unanimous, 3-0. Time was 6:10 PM.

These minutes were approved at the *August 1, 2011* Town Council meeting.


Lynn U. Morris, Town Clerk


Clifton G. Perry, Mayor